

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

WENDY M. ZUNIGA,)	
)	
Plaintiff,)	
)	No. 2:19-cv-02183-TLP-tmp
v.)	
)	JURY DEMAND
MEMPHIS POLICE DEPARTMENT, et al.)	
)	
Defendants.)	

ORDER ADOPTING THE REPORT AND RECOMMENDATION

The Magistrate Judge reviewed Plaintiff Wendy M. Zuniga’s pro se complaint (ECF No. 1) and issued a Report and Recommendation recommending that this Court dismiss Defendants Mayor Jim Strickland and Police Director Michael Rallings from this action. (ECF No. 7.)

The Magistrate Judge screened Plaintiff’s complaint as specified by Administrative Order 2013-05, which requires the Court to dismiss the complaint if the case is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against an immune defendant. *See* 28 U.S.C § 1915(e)(2). The Magistrate Judge recommended that this Court dismiss Strickland and Rallings from this action because Plaintiff has not pleaded sufficient facts under 42 U.S.C. § 1983 as to either Defendant. Plaintiff references Strickland and Rallings twice. First, Plaintiff lists Strickland and Rallings as “Additional Defendants,” but does not describe any conduct by either. (ECF No. 1.) Second, their names appear in the form heading of an exhibit that Plaintiff attached to the complaint. (ECF No. 1 at PageID 12.)

“Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2). Plaintiff did not object to the Report and Recommendation, and the time for filing objections has expired. *See* Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. On clear-error review of the Magistrate Judge’s Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation (ECF No. 7) in its entirety.

The Court therefore DISMISSES Mayor Jim Strickland and Police Director Michael Rallings from this action.

SO ORDERED, this 3rd day of June, 2019.

s/ Thomas L. Parker
THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE